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**Via ECF**

The Honorable Jesse M. Furman  
United States District Judge  
Southern District of New York  
40 Centre Street, Room 2202  
New York, New York 10007

**Re: *Goldstrom v. Selendy Gay Elsberg PLLC*, 23 Civ. 7527 (JMF)**

Dear Judge Furman:

We represent Defendant/Interpleader Plaintiff Selendy Gay Elsberg PLLC ("SGE") in the above-referenced matter (the "Action"). We write this joint letter on behalf of all parties to this Action pursuant to this Court's Order dated September 15, 2023 (the "Order"). ECF No. 40.

In accordance with the parties' September 14, 2023 joint letter, ECF No. 39 (the "Joint Letter"), SGE has spoken with counsel for the other five individuals named as defendants in the pending case captioned *Alix v. McKinsey & Co., Inc., et al.*, Case No. 1:18-cv-04141-JMF (the "RICO Action"), who SGE jointly represented, from May 9, 2018 through March 8, 2019, along with Plaintiff/Interpleader Defendant Seth Goldstrom ("Goldstrom") and Third-Party Interpleader Defendants McKinsey & Company, Inc., McKinsey & Company Inc. United States, McKinsey Holdings, Inc., and McKinsey Recovery & Transformation Services U.S. LLC (collectively, "McKinsey").

Based on conversations with counsel, SGE has been able to determine that four of those five individuals it previously represented in the RICO Action will not need to be interpleaded. With respect to the fifth individual, conversations with counsel remain ongoing and SGE cannot say definitively at this time whether that individual will need to be interpleaded. Nevertheless, that individual has agreed to abide by whatever decision this Court issues on McKinsey's intended motion to compel this Action to arbitration in the event that a consensual resolution of the relevant issues cannot be reached and it becomes necessary to interplead that additional party.

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As such, the parties request that a briefing schedule be set on McKinsey's forthcoming motion to compel arbitration. The parties, having conferred, respectfully request that the following schedule be adopted:

- McKinsey's opening brief due on or before October 6, 2023
- Goldstrom's opposition brief due on or before October 27, 2023
- McKinsey's reply brief due on or before November 10, 2023

As indicated in the parties' last submission, SGE intends to take no position on the question of arbitrability of the Action.

The parties remain available at the Court's convenience to discuss any of these matters.

Respectfully submitted,



Lauren J. Zimmerman  
Partner

Cc: All Counsel of Record (via ECF)

Application GRANTED. The conference previously scheduled for October 11, 2023, at 2:45 p.m., is hereby adjourned *sine die*. (Note that the conference in *Alix* scheduled for the same day *remains in effect*.) The parties' briefing schedule proposed above is hereby adopted. The Clerk of Court is directed to terminate ECF No. 41.

SO ORDERED.



September 28, 2023